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6 UNITED STATES DISTRICT COURT
7 WESTERN DISTRICT OF WASHINGTON
8 AT TACOMA

9 UNITED STATES OF AMERICA,

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11 Plaintiff,

12 vs

13 SIMONE MATA-HERNANDEZ,

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15 Defendant.
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CR05-5208FDB

ORDER TO CONTINUE
TRIAL DATE

18 THIS MATTER came before the above-entitled Court upon the Defendant's motion for
19 appointment of new counsel. The Court having ruled to keep counsel in place and having conferred with
20 counsel regarding the trial and related dates, now concludes that a continuance of the trial and related
21 dates is in the interest of justice and that this delay outweighs the best interest of the public and the
22 defendant in a speedy trial. Having considered the entirety of the records and file herein,

23 The Court finds that a failure to grant the continuance would deny counsel the reasonable time
24 necessary for effective preparation, taking into account the exercise of due diligence, within the meaning
25 of 18 U.S.C. § 3161(h)(8)(B)(ii).
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27 The Court further finds that the ends of justice will be served by ordering a continuance in this
28 case, that a continuance is necessary to insure effective trial preparation and that these factors outweigh
the best interests of the public in a more speedy trial, within the meaning of 18 U.S.C. § 3161(h)(8)(A).

1 IT IS THEREFORE ORDERED that the trial date of August 15, 2005 is continued to October
2 3, 2005 at 9:00 am.

3 IT IS FURTHER ORDERED the period of time from the current trial date of August 15, 2005,
4 up to and including the new trial date of October 3, 2005, shall be excludable time pursuant to the Speedy
5 Trial Act, 18 U.S.C. § 3161 *et seq.*

6 IT IS FURTHER ORDERED that the pretrial motions due date be extended to August 23, 2005.

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8 DONE this 12th day of August, 2005.

9
10 /s/ Franklin D Burgess
11 Franklin D Burgess
12 United States District Judge
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